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HEATHER HOWARD

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LYNNETTE FRARY, Individually and as  
Administrator of the Estate of Anthony  
Brandon Carmignani, Deceased, JAMIE BALL,  
as Natural Guardian of Amaya Carmignani, a  
minor, and HEATHER HOWARD,

Plaintiffs,

v.

COUNTY OF MARIN, et al.,

Defendants.

Case No. 3:12-cv-03928-MEJ

Judge: Hon. Maria-Elena James

AMENDED

**STIPULATED REQUEST FOR ORDER  
CHANGING EXPERT DISCOVERY  
DEADLINES AND DISPOSITIVE MOTION  
DEADLINES [LOCAL RULE 6-2]**

Trial Date: September 29, 2014

1 WHEREAS, fact discovery in this matter closed on January 17, 2014, and

2 WHEREAS, plaintiffs and the County defendants thereafter engaged in a meet and confer process  
3 to try to resolve disputes regarding plaintiffs' request to examine a portion of the County Jail and whether  
4 a County PMK deposition will go forward and if so, on what topics, and

5 WHEREAS, on January 24, 2014 the County and plaintiffs submitted one joint letter to this Court  
6 detailing plaintiffs' motion to compel the above discovery and the County's opposition thereto and  
7 seeking to have this Court resolve the dispute, and

8 WHEREAS, on the same date, plaintiffs submitted a letter to this Court detailing their motion to  
9 compel compliance with a subpoena issued to AT&T, and

10 WHEREAS, on January 27, 2014, plaintiffs and the County submitted a second joint letter  
11 regarding plaintiff's motion to compel an inspection of the jail and also detailing the County's opposition  
12 thereto,

13 WHEREAS, a decision on what additional discovery, if any will be permitted and completion of  
14 that discovery is necessary before the parties can complete their expert reports which currently are  
15 scheduled to be exchanged on February 28, 2014 (this date was ordered pursuant to the parties' 2/10/14  
16 stipulation to extend discovery dates), and

17 WHEREAS, regardless of the outcome of the outstanding discovery disputes between plaintiffs  
18 and the County, because the parties and their experts have not finalized expert reports because they  
19 presently are uncertain of what, if any, additional information will be forthcoming through additional  
20 discovery, all parties agree and stipulate that the parties need the requested extensions of the expert  
21 disclosure deadlines in order to have adequate time for the experts to finalize their required reports, and

22 WHEREAS, the parties have agreed upon a proposed amended case management schedule with  
23 amendments affecting only expert discovery (extending each expert discovery deadline by 30 days), the  
24 dispositive motion deadlines, and no other court deadlines will be affected, and

25 THEREFORE, pursuant to Local Civil Rules Nos. 6-1 and 6-2, the parties hereby agree that the  
26 case schedule may and should be amended as follows:

EVENT	EXISTING DATE	PROPOSED DATE
Disclosure of experts	2/28/14	3/28/14
Disclosure of rebuttal experts	3/14/14	4/11/14
Completion of expert depositions	4/4/14	5/2/14
Last day to file dispositive motion	4/10/14	5/9/14
Hearing date for dispositive motions	5/15/14	<sup>19</sup> <del>6/20</del> /14

Dated: February 21, 2014

BERTRAND, FOX & ELLIOT

By: /s/ Richard W. Osman  
 Thomas F. Bertrand  
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 CITY OF NOVATO, CHIEF JOSEPH KREINS,  
 OFFICER THOMAS MACKENZIE, OFFICER  
 MICHAEL DUNN and OFFICER STEPHANIE  
 COMMISTO

Dated: February 21, 2014

BRENT, FIOL & NOLAN LLP

By: /s/ David L. Fiol  
 David L. Fiol  
 Attorneys for Plaintiffs  
 LYNNETTE FRARY AND JAMIE BALL

Dated: February 21, 2014

BONNER & BONNER

By: /s/ Charles A. Bonner  
 Charles A. Bonner  
 Attorneys for Plaintiff  
 HEATHER HOWARD

Dated: February 21, 2014

OFFICE OF THE COUNTY COUNSEL

By: /s/ Steven M. Perl  
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 SHANNON FETTERLY, SUSAN LESHER  
 AND RICHARD DUNCKEL

**PURSUANT TO STIPULATION, IT IS SO ORDERED**

DATED: February 27, 2014



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HONORABLE MARIA-ELENA JAMES  
U.S. MAGISTRATE JUDGE